

**Knobbe Martens Olson & Bear LLP**  
*Intellectual Property Law*

JAN 23 2008

2040 Main Street  
Fourteenth Floor  
Irvine, CA 92614  
Tel 949-760-0404  
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TO: Examiner, Te Y. Chen  
FIRM: United States Patent and Trademark Office  
FACSIMILE NO.: (571) 273-8300  
OUR REF.: ISIL.001A  
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FROM: Art S. Rose  
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JAN 23 2008

**Application No. 10/007,003 (Patel, et al.)****Filed November 9, 2001**

SYSTEMS AND METHODS FOR PROVIDING A DISTRIBUTED FILE  
SYSTEM UTILIZING METADATA TO TRACK INFORMATION ABOUT  
DATA STORED THROUGHOUT THE SYSTEM

**PROPOSED INTERVIEW AGENDA****Teleconference, January 2008**

- A. We request help to understand how the Evans reference anticipates each and every claim element. Evans is the same reference used by the Examiner in the previous Office Action as the basis for an obviousness rejection, in which the Examiner expressly stated that Evans does not disclose "that the allocator module distributes the claimed subject matters across the storage modules."
- B. Furthermore, we would like to discuss the fact that Evans is not even in the same area as the claimed invention because Evans teaches multicast data distribution over a network, and the claimed invention is a distributed, file-based storage system
- C. Finally, we would like to discuss the 136-page declaration that was filed in response to the Examiner's 103 obviousness rejection based on Evans, to which declaration the Examiner provided no response.

**INFORMAL PRE-APPEAL CONFERENCE REQUESTED: WE REQUEST THAT THE GROUP DIRECTOR AND SPE EXAMINE THIS ISSUE BEFORE APPLICANT EXPENDS SIGNIFICANT TIME AND RESOURCES TO APPEAL THIS CASE. APPLICANT IS CONCERNED THAT, AFTER THE EXPENSE OF PREPARING AN APPEAL BRIEF, THE REJECTION WILL BE WITHDRAWN AND ANOTHER EQUALLY MERITLESS REJECTION WILL BE ASSERTED.**